

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jay A. Goldstein, Michael Rothman, and Whe-Yong Lo

Serial No.: 10/691,928 Art Unit: 1616

Filed: October 23, 2003 Examiner: Nathan W. Schlientz

For: *ANTIFUNGAL FORMULATIONS*

Chief Clerk of the Board
Board of Patent Appeal and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST TO RESCHEDULE ORAL HEARING BEFORE THE BOARD OF PATENT
APPEALS AND INTERFERENCES**

Sir:

Further to the Notice of Oral Hearing mailed May 31, 2011, Appellants respectfully request postponement of the Oral Hearing before the Board of Patent Appeals and Interferences scheduled for Thursday, July 21, 2011 at 9:00am.

Dr. Jay A. Goldstein, an inventor on the above-identified application, is unable to attend the hearing on this date as he is out of the country. Dr. Goldstein's participation in the hearing is critical as Appellants have relied on an expert declaration by Dr. Goldstein involving clinical studies to argue the patentability of the claimed subject matter. Dr. Goldstein will discuss this declaration during the hearing.

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Appellants respectfully request postponement of the Oral Hearing to allow Dr. Goldstein to attend to provide material information at the hearing. If the Board agrees to reschedule the oral hearing, Appellants respectfully request that the hearing not be scheduled for September 29 or 30, 2011, October 13 or 14, 2011, or October 20 or 21, 2011, which are days of observance in the Jewish faith. Dr. Goldstein has also indicated he will be out of the country November 14-22, 2011.

Respectfully submitted,

/Michael J. Terapane, Ph.D., J.D./
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Date: June 7, 2011

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